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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE	}	
	}	
RYAN SHAWN SCOTT	}	CASE NO. 23-43301-MXM-13
	}	
	}	
Debtor	}	

DEBTOR'S OBJECTION TO
CLAIM NO. 10 FILED BY JEANIE DAVIDSON

NOTICE

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT 501 WEST TENTH STREET, FORT WORTH, TEXAS 76102 BEFORE 4:00 P.M. ON THE DAY WHICH IS THIRTY DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE MUST BE IN WRITING AND FILED WITH THE CLERK, AND A COPY MUST BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED, A HEARING WILL BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED HEREIN SHALL BE DEEMED TO BE UNOPPOSED AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

TO THE HONORABLE U. S. BANKRUPTCY JUDGE:

Ryan Scott, Debtor, files this Objection to Claim No.10 filed by Jeanie Davidson (the "Objection) and in support thereof would respectfully show the Court as follows:

1. This Court has jurisdiction over this matter pursuant to the provisions of 28 U.S.C. §§ 1334 and 157. This matter constitutes a "core" proceeding within the meaning of 28 U.S.C. §157(b)(2)(A), (B) and (O).

2. Jeanie Davidson filed Claim No. 10 as a general unsecured claim in the amount of \$160,850.00 on January 2, 2024. The basis for the alleged claim appears to be for half of the amount of alleged community debts owed to various creditors.

3. Debtor objects to allowance of Claim 10 for the reason that there is no legal or factual basis to support Debtor's liability to Jeanie Davidson for this alleged debt. Debtor and Jeanie Davidson were divorced pursuant to the Judgment of Dissolution entered by the Superior Court of California, County of Orange on January 27, 2022. A copy of the Judgment of Dissolution (redacted) is attached hereto as Exhibit A and incorporated herein. Except for the Domestic Support Obligation for support of the parties' minor child, the Judgment of Dissolution does not contain any obligation for Debtor to assume liability for the debts that are the subject of Claim No. 10.

4. Debtor further objects to allowance of Claim No. 10 for the reason that the certain of the debts asserted on the exhibit attached to the claim do not exist. For example, the amount related to the debt allegedly owed to Ally Auto, \$18,089.00, for a (Nissan) does not exist. This vehicle was titled in Debtor's name but was sold for an amount in excess of balance owed. No deficiency resulted from the sale. Similarly, the amount related to the debt allegedly owed to BofA Auto Loan, \$19,284, for a Kona does not exist. Debtor also sold this vehicle for an

amount in excess of the amount required to pay off the balance owed to the lienholder. No deficiency resulted from the sale. Further, the alleged debt owed to NFCU, \$27,577, for a 4Runner, is believed by Debtor to no longer exist. On information and belief, Debtor believes that title to the vehicle was transferred to claimant's name and has been refinanced or sold by claimant.

5. To the extent that Debtor may be liable for any debt incurred during the term of his marriage to Jeanie Davidson, such debts will be treated pursuant to Debtor's Chapter 13 Plan. Jeanie Davidson does not have separate legal standing to pursue collection of any debt on behalf of the creditors.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that the Court enter an order sustaining this objection and disallowing Claim 11 and for such other and further relief that may be warranted under the circumstances of the case.

Dated: March 20, 2024

Respectfully submitted,

/s/ Marilyn D. Garner
Marilyn D. Garner, Esq.
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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing pleading was sent via first class and/or electronic mail to the parties listed below on the 20th day of March 2024:

Tim Truman, Chapter 13 Trustee
6851 N.E. Loop 820, Suite 300
N. Richland Hills, 76180

Jeanie Davidson
3023 Prospect Ave
Santa Monica, CA 90405-3023

/s/ Marilyn D. Garner
Marilyn D. Garner